

2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023 2024 2025 2026 2027 2028 2029 2030 2031 2032 2033 2034 2035 2036 2037 2038 2039 2040 2041 2042 2043 2044 2045 2046 2047 2048 2049 2050 2051 2052 2053 2054 2055 2056 2057 2058 2059 2060 2061 2062 2063 2064 2065 2066 2067 2068 2069 2070 2071 2072 2073 2074 2075 2076 2077 2078 2079 2080 2081 2082 2083 2084 2085 2086 2087 2088 2089 2090 2091 2092 2093 2094 2095 2096 2097 2098 2099 2100 2101 2102 2103 2104 2105 2106 2107 2108 2109 2110 2111 2112 2113 2114 2115 2116 2117 2118 2119 2120 2121 2122 2123 2124 2125 2126 2127 2128 2129 2130 2131 2132 2133 2134 2135 2136 2137 2138 2139 2140 2141 2142 2143 2144 2145 2146 2147 2148 2149 2150 2151 2152 2153 2154 2155 2156 2157 2158 2159 2160 2161 2162 2163 2164 2165 2166 2167 2168 2169 2170 2171 2172 2173 2174 2175 2176 2177 2178 2179 2180 2181 2182 2183 2184 2185 2186 2187 2188 2189 2190 2191 2192 2193 2194 2195 2196 2197 2198 2199 2200 2201 2202 2203 2204 2205 2206 2207 2208 2209 2210 2211 2212 2213 2214 2215 2216 2217 2218 2219 2220 2221 2222 2223 2224 2225 2226 2227 2228 2229 2230 2231 2232 2233 2234 2235 2236 2237 2238 2239 2240 2241 2242 2243 2244 2245 2246 2247 2248 2249 2250 2251 2252 2253 2254 2255 2256 2257 2258 2259 2260 2261 2262 2263 2264 2265 2266 2267 2268 2269 2270 2271 2272 2273 2274 2275 2276 2277 2278 2279 2280 2281 2282 2283 2284 2285 2286 2287 2288 2289 2290 2291 2292 2293 2294 2295 2296 2297 2298 2299 2300 2301 2302 2303 2304 2305 2306 2307 2308 2309 2310 2311 2312 2313 2314 2315 2316 2317 2318 2319 2320 2321 2322 2323 2324 2325 2326 2327 2328 2329 2330 2331 2332 2333 2334 2335 2336 2337 2338 2339 2340 2341 2342 2343 2344 2345 2346 2347 2348 2349 2350 2351 2352 2353 2354 2355 2356 2357 2358 2359 2360 2361 2362 2363 2364 2365 2366 2367 2368 2369 2370 2371 2372 2373 2374 2375 2376 2377 2378 2379 2380 2381 2382 2383 2384 2385 2386 2387 2388 2389 2390 2391 2392 2393 2394 2395 2396 2397 2398 2399 2400 2401 2402 2403 2404 2405 2406 2407 2408 2409 2410 2411 2412 2413 2414 2415 2416 2417 2418 2419 2420 2421 2422 2423 2424 2425 2426 2427 2428 2429 2430 2431 2432 2433 2434 2435 2436 2437 2438 2439 2440 2441 2442 2443 2444 2445 2446 2447 2448 2449 2450 2451 2452 2453 2454 2455 2456 2457 2458 2459 2460 2461 2462 2463 2464 2465 2466 2467 2468 2469 2470 2471 2472 2473 2474 2475 2476 2477 2478 2479 2480 2481 2482 2483 2484 2485 2486 2487 2488 2489 2490 2491 2492 2493 2494 2495 2496 2497 2498 2499 2500 2501 2502 2503 2504 2505 2506 2507 2508 2509 2510 2511 2512 2513 2514 2515 2516 2517 2518 2519 2520 2521 2522 2523 2524 2525 2526 2527 2528 2529 2530 2531 2532 2533 2534 2535 2536 2537 2538 2539 2540 2541 2542 2543 2544 2545 2546 2547 2548 2549 2550 2551 2552 2553 2554 2555 2556 2557 2558 2559 2560 2561 2562 2563 2564 2565 2566 2567 2568 2569 2570 2571 2572 2573 2574 2575 2576 2577 2578 2579 2580 2581 2582 2583 2584 2585 2586 2587 2588 2589 2590 2591 2592 2593 2594 2595 2596 2597 2598 2599 2600 2601 2602 2603 2604 2605 2606 2607 2608 2609 2610 2611 2612 2613 2614 2615 2616 2617 2618 2619 2620 2621 2622 2623 2624 2625 2626 2627 2628 2629 2630 2631 2632 2633 2634 2635 2636 2637 2638 2639 2640 2641 2642 2643 2644 2645 2646 2647 2648 2649 2650 2651 2652 2653 2654 2655 2656 2657 2658 2659 2660 2661 2662 2663 2664 2665 2666 2667 2668 2669 2670 2671 2672 2673 2674 2675 2676 2677 2678 2679 2680 2681 2682 2683 2684 2685 2686 2687 2688 2689 2690 2691 2692 2693 2694 2695 2696 2697 2698 2699 2700 2701 2702 2703 2704 2705 2706 2707 2708 2709 2710 2711 2712 2713 2714 2715 2716 2717 2718 2719 2720 2721 2722 2723 2724 2725 2726 2727 2728 2729 2730 2731 2732 2733 2734 2735 2736 2737 2738 2739 2740 2741 2742 2743 2744 2745 2746 2747 2748 2749 2750 2751 2752 2753 2754 2755 2756 2757 2758 2759 2760 2761 2762 2763 2764 2765 2766 2767 2768 2769 2770 2771 2772 2773 2774 2775 2776 2777 2778 2779 2780 2781 2782 2783 2784 2785 2786 2787 2788 2789 2790 2791 2792 2793 2794 2795 2796 2797 2798 2799 2800 2801 2802 2803 2804 2805 2806 2807 2808 2809 2810 2811 2812 2813 2814 2815 2816 2817 2818 2819 2820

(1) COPY OF THE INTERNATIONAL PRELIMINARY REPORT  
ON PATENTABILITY (PCT) 7 SHEETS

7 SHEETS

- 3 SHEETS

# PATENT COOPERATION TREATY

From the  
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

## PCT

To:

KARYAMBAS, Nicholas  
12 Bousgou Str.  
ATHENS 114 73  
GRECE

### NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(PCT Rule 71.1)

Date of mailing  
(day/month/year)

15.05.2006

Applicant's or agent's file reference  
xxx

#### IMPORTANT NOTIFICATION

International application No.  
PCT/GR2005/000010

International filing date (day/month/year)  
12.04.2005

Priority date (day/month/year)  
27.04.2004

Applicant  
KARYAMBAS, Nicholas

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary report on patentability and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.
4. **REMINDER**

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

The applicant's attention is drawn to Article 33(5), which provides that the criteria of novelty, inventive step and industrial applicability described in Article 33(2) to (4) merely serve the purposes of international preliminary examination and that "any Contracting State may apply additional or different criteria for the purposes of deciding whether, in that State, the claimed inventions is patentable or not" (see also Article 27(5)). Such additional criteria may relate, for example, to exemptions from patentability, requirements for enabling disclosure, clarity and support for the claims.

Name and mailing address of the international  
preliminary examining authority:



European Patent Office - P.B. 5818 Patentlaan 2  
NL-2280 HV Rijswijk - Pays Bas  
Tel. +31 70 340 - 2040 Tx: 31 651 epo nl  
Fax: +31 70 340 - 3016


Authorized Officer

Ter Haar, H

Tel. +31 70 340-3817



**PATENT COOPERATION TREATY**  
**PCT**  
**INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY**  
(Chapter II of the Patent Cooperation Treaty)  
(PCT Article 36 and Rule 70)

|   |  |  |
|---|--|--|
| Applicant's or agent's file reference<br>XXX  | <b>FOR FURTHER ACTION</b>  | See Form PCT/PEA/416                         |
| International application No.<br>PCT/GR2005/000010  | International filing date (day/month/year)<br>12.04.2005                 | Priority date (day/month/year)<br>27.04.2004 |
| International Patent Classification (IPC) or national classification and IPC<br>INV. F02C1/10 F03G7/10 B81B1/00 F03G7/00  |  |  |
| Applicant<br>KARYAMBAS, Nicholas  |  |  |
| <p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under <u>Article 35</u> and transmitted to the applicant according to <u>Article 36</u>.</p> <p>2. This REPORT consists of a total of 6 sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p style="margin-left: 20px;">a. <input checked="" type="checkbox"/> sent to the applicant and to the International Bureau) a total of 1 sheets, as follows:</p> <p style="margin-left: 40px;"><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p style="margin-left: 40px;"><input checked="" type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an <u>amendment that goes beyond the disclosure in the international application as filed</u>, as indicated in item 4 of Box No. I and the Supplemental Box. ?</p> <p style="margin-left: 20px;">b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or tables related thereto, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p> |  |  |
| <p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the report</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under <u>Article 35(2)</u> with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p>  |  |  |
| Date of submission of the demand<br><br>18.11.2005  | Date of completion of this report<br><br>15.05.2006                      |  |
| Name and mailing address of the international preliminary examining authority:<br> European Patent Office - P.B. 5818 Patentlaan 2<br>NL-2280 HV Rijswijk - Pays Bas<br>Tel. +31 70 340 - 2040 Tx: 31 651 epo nl<br>Fax: +31 70 340 - 3016   | Authorized officer<br><br>O'Shea, G<br><br>Telephone No. +31 70 340-4424 |  |



INTERNATIONAL PRELIMINARY REPORT  
ON PATENTABILITY

International application No.  
PCT/GR2005/000010

Box No. I Basis of the report

1. With regard to the **language**, this report is based on

- ☒ the international application in the language in which it was filed
- ☐ a translation of the international application into , which is the language of a translation furnished for the purposes of:
- ☐ international search (under Rules 12.3(a) and 23.1(b))
  - ☐ publication of the international application (under Rule 12.4(a))
  - ☐ international preliminary examination (under Rules 55.2(a) and/or 55.3(a))

2. With regard to the **elements\*** of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):

Description, Pages

1-11 as originally filed

Claims, Numbers

1, 2 filed with the demand

Drawings, Sheets

1/7-7/7 as originally filed

- ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages
- ☐ the claims, Nos.
- ☐ the drawings, sheets/figs
- ☐ the sequence listing (*specify*):
- ☐ any table(s) related to sequence listing (*specify*):

4. ☒ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)). ?

- ☐ the description, pages
- ☒ the claims, Nos. 1,2
- ☐ the drawings, sheets/figs
- ☐ the sequence listing (*specify*):
- ☐ any table(s) related to sequence listing (*specify*):

\* If item 4 applies, some or all of these sheets may be marked "superseded."

**INTERNATIONAL PRELIMINARY REPORT  
ON PATENTABILITY**International application No.  
PCT/GR2005/000010

---

**Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

---

## 1. Statement

|                               |             |   |
|-------------------------------|-------------|---|
| Novelty (N)                   | Yes: Claims | 1 |
|                               | No: Claims  |   |
| Inventive step (IS)           | Yes: Claims |   |
|                               | No: Claims  | 1 |
| Industrial applicability (IA) | Yes: Claims |   |
|                               | No: Claims  | 1 |

2. Citations and explanations (Rule 70.7):**see separate sheet**

1

iAP20 Rec'd PCT/PTO 05 JUL 2006

**INTERNATIONAL PRELIMINARY  
REPORT ON PATENTABILITY  
(SEPARATE SHEET)**

International application No.

PCT/GR2005/000010

**Re Item I****Basis of the report**

1. The amendments filed with the International Bureau under Article 19(1) introduce subject-matter which extends beyond the content of the application as filed, contrary to Article 19(2) PCT. The amendments concerned are the following:

- 1.1 In claim 1, the expressions "flat" and "of considerable length" used in conjunction with the slots (on line 13) replace the originally disclosed "inner" surface.

For the purposes of the examination under Article 33 PCT, it has been assumed that the above amendment did not take place and the original "inner" descriptor applies.

- 1.2 The subject-matter of claim 2, wherein the pressure of the gas during phase (0---1) and the temperature during isobaric expansion are further specified.

This report has been drawn up as if this amendment did not take place (i.e. claim 2 has been disregarded).

**Re Item V**

**Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1. Reference is made to the following documents:

D1: US-A-5 316 568 (BROWN ET AL) 31 May 1994

D2: WO 94/20741 A (KIM, JAE, HWAN) 15 September 1994

2. The application does not meet the requirements of Article 6 PCT, because claim 1 is not clear. Claim 1 is directed to a device, however, as explained below, some of the features in this claim relate to a method of using this device rather than clearly defining the apparatus in terms of its technical features. The intended limitations are therefore not clear from this claim, contrary to the requirements of Article 6 PCT.

Expressions, amongst others, such as "uses rarefied gas" (line 4), "producing work" (line 7), "expanding gas is reheated" (line 9), "phase (0---1) is accomplished

**INTERNATIONAL PRELIMINARY  
REPORT ON PATENTABILITY  
(SEPARATE SHEET)**

International application No.

PCT/GR2005/000010

when.." (line 11) and "achieving an aggregated output" (line 20), deal with how such a device of claim 1 is operated and do not serve to clearly limit the subject-matter of this device in terms of its structural features. For the purposes of assessing whether or not the subject-matter of claim 1 meets the requirements of Article 33 PCT, the wording of the claim has been interpreted in terms of its structural features, as outlined in section 3 below.

3. The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 1 does not involve an inventive step in the sense of Article 33(3) PCT.

The document D1 is regarded as being the closest prior art to the subject-matter of claim 1, and discloses (the references in parentheses applying to this document):

A device for converting thermal energy into kinetic energy (see figures 18 and 20), said device using a rarefied gas (col.14, lines 3-15) as the working fluid and comprising:

a vessel divided by a region (92) containing microscopic slots (12)(col.4, lines 48-50 the fact that the pore openings can be rectangular or oval in shape allows them to be interpreted as slots) with sizes comparable to the mean free path of the molecules (col.4, lines 26-28) of the gas, said microscopic slots having diverging inner surfaces (col.4, lines 41-44) and forming slots grouped together in small parallel modules (see figure 2), said microscopic slots having a molecular layer adsorbed upon said inner walls (col.6, lines 34-45);

a gas turbine (96,104) which performs adiabatic expansion on the gas;

a heat exchanger (106) located downstream of the gas turbine (96,104) to provide heat energy to the gas flow.

The subject-matter of claim 1 therefore differs from this known device in that the heat exchanger transfers heat from the ambient air to the working fluid.

The provision of a heat exchanger to transfer heat energy from the ambient air to the working gas flow is well-known in the field of closed circuit turbines (see for example document D2, page 15, lines 2-11). The skilled person would therefore regard the use of such a heat exchanger in the device according to claim 1 as obvious and a matter of normal design procedure.

**INTERNATIONAL PRELIMINARY  
REPORT ON PATENTABILITY  
(SEPARATE SHEET)**

International application No.

PCT/GR2005/000010

6



4. Although the skilled person could produce a device having the features of claim 1, the description does not disclose the device in a manner which would enable it to work as described (Article 5 PCT), as such functioning would seem to be in contravention of well-established physical laws. In the present case, the second law of thermodynamics would seem to be violated by such a device, as it is alleged that such a device continuously produces energy and provides refrigeration without needing any external heat source, apparently a Perpetual Motion Machine of the Second Kind. It is therefore doubtful that such a device could be used as described, leading to the subject-matter of claim 1 lacking industrial applicability (Article 33(4)PCT)(see also PCT Guidelines 14.06).

?

✓